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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) No.: CR 05-0507 WHA  
Plaintiff, )  
v. ) STIPULATION AND ORDER  
BERNARD THOMAS, JR., ) CONTINUING DATES FOR HEARING  
Defendant. ) AND FOR DECISION ON MOTION  
 )  
 )  
 )  
 ) San Francisco Venue

## STIPULATION

IT IS HEREBY STIPULATED by and between the parties, through their undersigned counsel that:

1. Government counsel assigned to this case and this motion is unavailable and out of the country until November 28, 2005.

2. The parties have been in communication concerning defendant's motion for discovery and disclosure of exculpatory evidence and defendant has agreed to a continuance until December 13, 2005, at 2:00 p.m.

3. Accordingly, the hearing date on defendant's motion, currently scheduled for November 15, 2005 at 2:00 p.m., should be continued to **December 13, 2005, at 11:00 a.m.**

DATED: KEVIN V. RYAN  
United States Attorney

11/14/05 /S/  
PHILIP J. KEARNEY  
Assistant United States Attorney

DATED: 11/14/05 /S/  
ELENA CONDES  
Counsel for defendant BERNARD THOMAS, JR.

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## **STIPULATION AND ORDER CONTINUING DATES**

## ORDER

Based upon the above Stipulation, and for good cause appearing, THE COURT HEREBY ORDERS THAT:

The hearing date on defendant's motion for discovery and disclosure of exculpatory evidence is continued to **December 13, 2005, at 2:00 p.m.**

SO ORDERED.

DATED: November 15, 2005

~~HON. WILLIAM D. ALSUP  
United States District Judge~~

## **STIPULATION AND ORDER CONTINUING DATES**